

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**CELLULAR COMMUNICATIONS  
EQUIPMENT LLC,**

**Plaintiff,**

**V.**

**TCL CORPORATION,  
TCL COMMUNICATION  
TECHNOLOGY HOLDINGS LIMITED,  
HUIZHOU TCL MOBILE  
COMMUNICATION CO. LTD.,  
TCT MOBILE INTERNATIONAL LTD,  
AND  
TCL ELECTRONICS HOLDINGS  
LIMITED,**

## Defendants.

**C.A. NO. 2:20-CV-00080-JRG**

## JURY TRIAL DEMANDED

## JOINT MOTION TO EXTEND STAY OF ALL DEADLINES

Plaintiff Cellular Communications Equipment LLC (“CCE”) and Defendants TCL Corporation, TCL Communication Technology Holdings Limited, Huizhou TCL Mobile Communication Co. Ltd., TCT Mobile International Ltd., and TCL Electronics Holdings Limited (“Defendants”) (collectively, the “Parties”) respectfully submit this Joint Motion to Extend the Stay of All Deadlines. The Parties would respectfully inform the Court as follows:

As set forth in the Parties' August 19 Joint Motion to Stay All Deadlines and Notice of Settlement, the Parties have reached a settlement in principle of all matters in controversy. The Parties have since agreed to the terms of a Settlement and Patent License Agreement, and the document is currently being executed by the respective Parties. The Parties jointly request that the Court extend the stay for an additional sixty (60) days for the following reason:

(1) Transmission of full consideration for the Settlement and Patent License Agreement will not occur for another forty-five (45) days.

Further, Plaintiff CCE requests that the Court extend the stay for the requested sixty (60) days for the following additional reason.

(2) Dismissal of this action could deprive this Court of jurisdiction to enforce the settlement, if necessary, due to a later-filed action brought in the Central District of California by Defendant Huizhou TCL Mobile Communication Co. Ltd. and a related TCL entity.

Following the filing of this action by Plaintiff CCE on March 17, 2020, TCT Mobile (US) Inc. and Huizhou TCL Mobile Communication Co. Ltd. filed on April 9, 2020 cause no. 8:20-cv-00702-JVS-ADS in the United States District Court for the Central District of California a Complaint for Declaratory Judgment of non-infringement (“the California Action”) as to U.S. Patent No. 7,218,923 (“the ’923 Patent”), which patent is also at issue in this action. On July 6, 2020, CCE filed in the California Action a Renewed Motion to Dismiss Case or in the Alternative, to Stay. On July 31, 2020 the Honorable James V. Selna entered an Order in the California Action granting CCE’s Motion to Stay based on the first-filed rule. A copy of Judge Selna’s Order is attached hereto as Exhibit A.

Pursuant to Judge Selna’s Order, the California Action is currently stayed pending further proceedings in this action. To ensure that this Court retains jurisdiction over this dispute throughout the process of consummating of the settlement, CCE respectfully requests that the Court extend the current stay for an additional sixty (60) days.

Defendants join in the motion to extend the stay for the first enumerated reason set forth above, but take no position as to the second reason.

Accordingly, the parties jointly request that the Court extend the current stay for an additional sixty (60) days. A proposed order is submitted herewith.

Dated: September 19, 2020

Respectfully submitted,

<p><u>/s/ Jeffrey R. Bragalone</u> Jeffrey R. Bragalone (lead attorney) Texas Bar No. 02855775 Jonathan H. Rastegar Texas Bar No. 24064043</p> <p><b>BRAGALONE CONROY PC</b> 2200 Ross Avenue Suite 4500W Dallas, TX 75201 Tel: (214) 785-6670 Fax: (214) 785-6680 jbragalone@bcpc-law.com jrastegar@bcpc-law.com</p> <p>ATTORNEYS FOR PLAINTIFF CELLULAR COMMUNICATIONS EQUIPMENT LLC</p>	<p><u>/s/ Jeffrey L. Johnson</u> Jeffrey L. Johnson State Bar No. 24029638</p> <p><b>ORRICK, HERRINGTON &amp; SUTCLIFFE LLP</b> 609 Main St., 40th Floor Houston, TX 77002 Telephone: (713)658-6450 Facsimile: (713)658-6401 jj@orrick.com</p> <p>ATTORNEY FOR DEFENDANTS</p>
--	---